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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/520,673	
	Filing Date	July 26, 2005	
	First Named Inventor	Matthias Dammers et al.	
	Art Unit	3727	
	Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission	134	Attorney Docket Number	3988-045995

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Form PTO/SB/08a (1p) Cited Art (6 Refs.)		

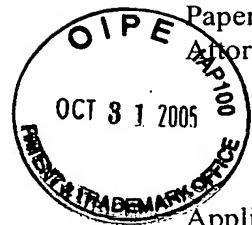
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	The Webb Law Firm		
Signature			
Printed Name	Ryan J. Miller		
Date	October 27, 2005	Reg. No.	56,236

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Typed or printed name	Chris P. Craig	Date	October 27, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Application No. 10/520,673
Paper Dated: October 27, 2005
Attorney Docket No. 3988-045995



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/520,673
Applicant : Matthias Dammers et al.
Filed : July 26, 2005
Title : **METHOD FOR APPLYING A RESEALABLE
POURING ELEMENT TO A CONTAINER
AND CORRESPONDING CONTAINER**
Art Unit : 3727
Examiner : Not Yet Assigned
Confirmation No. : 9744
Customer No. : 28289

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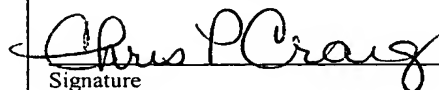
INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the requirements of 37 C.F.R. §1.56, 1.97, and 1.98, Applicant hereby submits this Information Disclosure Statement, which includes a completed Form PTO/SB/08A and one (1) copy of each foreign patent document cited therein. Copies of the United States patent references listed on Form PTO/SB/08A are not enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450 on October 27, 2005.

Chris P. Craig
(Name of Person Mailing Paper)


Signature

10/27/2005
Date

Application No. 10/520,673
Paper Dated: October 27, 2005
Attorney Docket No. 3988-045995

This application is the U.S. national phase of International Application No. PCT/EP03/07338, filed July 8, 2003, which corresponds to German Patent Application No. 102 31 063.7 filed July 10, 2002.

Some of the references identified in Form PTO/SB/08A were cited in an International Search Report (ISR) dated November 26, 2003 and an International Preliminary Examination Report dated October 20, 2004 in the underlying International Application. The references cited in the ISR and IPER are relevant for the reasons stated therein. The August 23, 2005 Notice of Acceptance of Application under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 indicates that copies of the ISR and IPER have been received by the United States Patent and Trademark Office. Therefore, copies of the ISR and IPER are not enclosed herewith.

German Utility Model No. 90 05 581 U is cited on page 3, lines 8-24 of the specification of the present application and is further relevant for the reasons discussed therein.

German Patent No. 690 21 078 T, of which an English-language abstract is enclosed, is cited on page 2, lines 14-21 of the specification of the present application and is relevant for the reasons discussed therein.

German Patent No. 692 06 903 T, of which an English-language abstract is enclosed, is cited on page 2, lines 23-27 of the specification of the present application and is relevant for the reasons discussed therein.

The remaining references listed on Form PTO/SB/08A were first cited in a German Office Action, dated March 14, 2003, and are relevant for the reasons provided therein. A copy of the German Office Action is enclosed herewith. An English-language abstract is provided for German Patent Nos. 40 14 774 A1 and 196 15 735 A1.

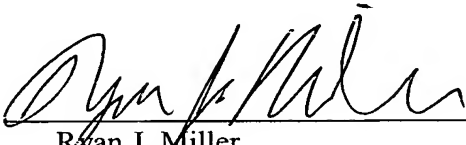
Pursuant to 37 C.F.R. § 1.97(b)(3), no fee is believed to be due for the submission of this Information Disclosure Statement, as it is being submitted before the mailing date of a

Application No. 10/520,673
Paper Dated: October 27, 2005
Attorney Docket No. 3988-045995

first Office Action on the merits. Nevertheless, the Commissioner for Patents is hereby authorized to charge any fees which may be required to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Information Disclosure Statement are enclosed.

Respectfully submitted,

THE WEBB LAW FIRM

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Substitution for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/520,673
				Filing Date	July 26, 2005
				First Named Inventor	Matthias Dammers et al.
				Art Unit	3727
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	3988-045995
Sheet	1	of	1		

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	4	DE 19615735	10/23/1997	Ruediser HAAGA GmbH		
	5	DE 692 06 903 T2	06/27/1996	Goglio		
	6	DE 690 21 078 T2	12/21/1995	Procter & Gamble		
	7	DE 40 14 774 A1	11/14/1991	Huerauf Michael Maschf		
	8	WO 91/00826	01/24/1991	Stahlecker		
	9	DE 90 05 581.0	07/19/1990	Hoflinger GmbH		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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